UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/C.12/1991/SR.18
23 March 1992

ENGLISH
Original: FRENCH

COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Sixth session

SUMMARY RECORD OF THE 18th MEETING

Held at the Palais des Nations, Geneva,
on Friday, 6 December 1991, at 10 a.m.

Chairman: Mr. ALSTON

later: Mr. MUTERAHEJURU
Mr. ALSTON

CONTENTS

Organization of work (continued)

Consideration of reports

(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (continued)

Sweden (conclusion)

Colombia (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.91-18842/4334B

The meeting was called to order at 10.05 a.m.

ORGANIZATION OF WORK (agenda item 4) (continued)

Procedure to be followed in examining additional information (continued)

Jamaica (E/1989/5/Add.4 and E/C.12/WG/1991/CRP.15)

1. The CHAIRMAN read out excerpts from a letter from the Permanent Representative of Jamaica stating that, in accordance with Committee practice, any new information requested by the Committee concerning the additional information submitted by Jamaica (E/1989/5/Add.4) would be included in Jamaica's next periodic report, and that the Jamaican Government would not be represented at the meeting at which the Committee planned to consider that additional information, on 6 December 1991. However, the Committee, through its pre-sessional Working Group (E/C.12/WG/1991/CRP.15) did wish to put some new questions to the Jamaican Government. In his opinion, the procedure selected by the Committee at its fourth session (E/1990/23, para. 309) had created a misunderstanding. The Committee had two alternatives: either it considered the additional information in the absence of the Jamaican Government, although that would probably not be very useful; or it sent an official letter to the Permanent Representative of Jamaica stating that the Committee wished to have the new information which had been requested as soon as possible and not with the next periodic report, which was not due until approximately three years hence, for the new information would be considered by the Committee at its following session. In the same letter, the Committee would note that it was not absolutely necessary for the State party to be represented when the Committee considered additional information submitted by that State, but that it was invited to send a representative if it so wished.

2. If there was no objection, he would take it that the Committee adopted the second approach.

3. It was so decided.

Zaire (E/1989/5 and E/C.12/WG/1991/CRP.11)

4. The CHAIRMAN drew the attention of the members of the Committee to the recommendations made by the pre-sessional Working Group (E/C.12/WG/1991/CRP.11) concerning the additional information submitted by the Government of Zaire (E/1989/5). If it followed those recommendations, the Committee would ask the Government of Zaire to send it, in its next periodic report, certain information on specific points. If the members of the Committee had had sufficient time to study document E/C.12/WG/1991/CRP.11 and if they had no comments to make concerning it, he would take it that the Committee wished to adopt the recommendations made by the pre-sessional Working Group.

5. It was do decided.

CONSIDERATION OF REPORTS (agenda item 7) (continued)

(a) REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT

Sweden (E/1990/7/Add.2) (conclusion)

Concluding observations

6. Mr. KONATE read out draft concluding observations, reformulated to take into account comments by the members of the Committed during informal exchanges of views. The following might be the text of the Committee's final observations:

7. The Committee expressed its satisfaction with the impressive and detailed answers the representative of Sweden had been able to give to the questions raised by the pre-sessional Working Group (E/C.12/WG/1991/CRP.6; they had done much to make up for a Government report (E/1990/7/Add.2) which, in its view, was too brief. It noted the considerable efforts Sweden had made to give effect to the rights covered by articles 13 and 15, including the progress in primary education and the educational assistance for the handicapped.

8. The Committee was nevertheless concerned about the status of the Covenant under Swedish domestic legislation and opportunities for individuals to invoke the Covenant before the courts. While noting the action Sweden had taken in the area of cultural rights, the Committee was also concerned for the fate of ethnic minorities such as the Sami and Gitans, feeling that emphasis should be laid on the need to help them preserve their cultural identity and on the efforts that must be made to promote their culture.

9. Mr. MRATCHKOV said that, on the whole, he approved of the draft that Mr. Konate had just read out. However, the Committee should place more emphasis on the fact that the report submitted by the Swedish Government had not been found to be sufficient, as it had done in the case of Finland. He would therefore suggest adding, at the end of the second sentence, after the words "too brief", the phrase "and did not reflect the degree to which the Covenant was being applied.".

10. Mrs. JIMENEZ BUTRAGUEÑO said that she also approved of the draft concluding observations presented by Mr. Konate and joined Mr. Mratchkov in stressing the fact that the Committee should apply the same treatment to all countries: Mr. Mratchkov's amendment was therefore justified. In addition, in the first sentence, she would prefer to qualify the replies of the Swedish representative as "full and detailed" instead of "impressive and detailed". Although she recognized the importance of the Covenant's status, she believed that the emphasis should be on furthering its practical application: thus, the first sentence in the second paragraph should be amended to refer both to the status of the Covenant in Sweden and its incorporation into Swedish internal law, as well as to the possibility of invoking it before the courts.

11. The CHAIRMAN said that although he generally shared Mrs. Jimenez Butragueño's view, many of the points she had raised had been dealt with during the Committee's dialogue with the representatives of Sweden and would therefore appear in the Committee report.

12. Mr. KONATE pointed out that the wording of the initial draft final observations more or less corresponded to the wording suggested by Mrs. Jimenez Butragueño, but that the Committee, after an informal exchange of views, had not seen fit to retain it. He would therefore prefer not to make the last amendment to the concluding observations proposed by Mrs. Jimenez Butragueño.

13. Mr. NENEMAN said that the current stage of adoption of the concluding observations was somewhat late to bring up new ideas.

14. The CHAIRMAN said that if there was no objection, he would take it that the Committee adopted the draft concluding observations subject to the amendments accepted by Mr. Konate.

15. It was so decided.

Colombia (E/1990/7/Add.4, E/1989/5/Add.3 and E/C.12/WG/1991/CRP.8) (continued)

16. Mr. MESTRE SARMIENTO (Colombia) said that he would reply to the questions raised by the members of the Committee; however, many of the 42 questions raised required statistical research, and the replies to those questions would be requested from the Colombian authorities and supplied in writing.

17. Regarding the incorporation of international treaties into Colombian legislation, the Constitution had maintained the previous system, i.e. treaties must be approved by the National Assembly (art. 224); as soon as they were, they became part of internal law and took precedence over ordinary legislation. However, the new Constitution had introduced a new provision, which was that the President could order, on a temporary basis, the implementation of international economic and commercial agreements reached in conjunction with international organizations.

18. Divorce was authorized by the 1991 Constitution but prohibited by the Concordat of 1887, which governed relations between the Church and the State. Thus from a legal point of view, there was currently a contradiction between an international treaty - the Concordat - and the Constitution on the matter of divorce. Negotiations aimed at concluding a new concordat were under way, and the Colombian Government hoped that they would soon come to fruition.

19. It was correct to say that the protection of children's rights was given priority in relation to those of other groups of the population: the new Constitution made children's rights, like human rights in general, a special category. Children did deserve special attention from society and the State.

20. Mrs. GALVIS (Colombia) replied to other questions: the 1991 Constitution had given indigenous languages official status. However, in order for that provision to be implemented, regulations needed to be adopted, the public services provided with bilingual officials in regions where indigenous peoples

lived. Bilingual education had been introduced by a 1985 law, and since then, the Ministry of Education, in cooperation with specialists, had trained teachers to provide bilingual education within the different indigenous groups. Furtherance of bilingualism in Colombia was not only aimed at indigenous peoples, but also at the peoples of the San Andrès and Providencia Islands, where there was English-Spanish bilingualism. The question of bilingualism did not arise for the black population, which was fully integrated into Colombian life in all areas of community life. Special services for the black population tended to take the form of programmes and activities for cultural development, aimed at restoring importance to black culture and giving it its proper place in Colombian society.

21. The principle of freedom of movement had always been respected in Colombia, and it was duly set forth in article 24 of the new Constitution, but as already observed, the article as currently worded, guaranteed only the "freedom of movement of Colombians". It was certainly intended to establish the right of everyone to freedom of movement throughout the country, and the wording of that article would certainly be changed in due course.

22. Article 26 of the Constitution provided for the "collegialization", i.e. the corporatist organization of certain professions, which was not obligatory but was current practice, especially in the liberal professions. Since the new Colombian Constitution was to meet concrete needs and respond to the country's current situation, it even contained provisions that would be better suited to legislative texts. In any event, article 26 was clearly optional and did not contravene democratic principles or fundamental freedoms.

23. Mr. MESTRE SARMIENTO (Colombia), turning to the question of extradition, recalled that Colombia had concluded its first extradition treaty with the United States in 1886 and that it had so far ratified 24 bilateral extradition treaties and 2 multilateral treaties. To combat the drug traffic, Colombia had concluded two treaties with the United States in 1981, one on extradition and the other on mutual legal assistance. Under the extradition treaty, a number of Colombian nationals had been handed over to the American authorities to be tried. If difficulties had arisen, that was because the United States had begun to violate the fundamental principles of the treaty, namely that the charge must correspond to the same offence in the two countries and that, for the same offence, the lighter of the penalties provided in the two legislations should be pronounced. However, most of the Colombians extradited to the United States had been tried for acts that were not considered to be offences in Colombia and sentenced to prison terms of over 100 years, whereas the heaviest prison term in Colombia was 30 years. In view of that situation, several lawyers' associations had asked the Government to denounce the treaty. But the armed struggle between the drug traffickers and the Colombian authorities had reached such proportions that the Government had not been able to give effect to that demand. Those were the circumstances surrounding the election of the National Constituent Assembly, where the opposition parties were in the majority and had proposed to include a provision in the Constitution prohibiting the extradition of nationals; that bill had been approved by the Assembly with a broad majority despite the opposition of the Government party. The United States could, however, provide the Colombian legal authorities with official evidence to enable them to examine the charges in the United States against drug traffickers. Thus, the extradition problem

was a complex one, and he believed that it had been a legal and political error to include in the Constitution a provision prohibiting the extradition of Colombians, for that initiative was in contradiction with case law and the procedures followed in international relations.

24. Mrs. GALVIS (Colombia), replying to a question concerning archaeological research, said that the new rules were not aimed at prohibiting excavations, but at protecting Colombia's cultural heritage. One of the most important archaeological events in the last 20 years was the discovery in the 1970s of the "ciudad perdida" ("lost city") in the northern part of the country, where Spaniards had first come into contact with the inhabitants of the region. However, the site continued to be a place of worship for indigenous peoples, and they considered the archaeological digs to be an attack on their cultural identity. They had informed the Government of their concerns, and that was why an agreement had been reached between the Colombian Institute of Culture, the Government and the indigenous communities to regulate the archaeological excavations in the lost city.

25. Regarding the role of the private sector in education, she would like first of all to point out that the school and university-age population accounted for 40 per cent of Colombia's total population. There were not enough public institutions to meet the demand for education and they were therefore backed up by private institutions offering the same services. Colombians were free to choose the public or private sector. Public institutions were free. Fees varied considerably in the private institutions, which enabled everyone to attend the ones that they could afford. There was also a system of scholarships and loans managed by the Colombian Study Institute. Any Colombian student could apply for a loan, to be repaid when he or she began work.

26. Mr. MESTRE SARMIENTO (Colombia) added that those loans carried a very low interest rate and that the pay-back period was twice the length of the studies. That system was widely utilized in the country.

27. Mr. Muterahejuru took the Chair.

28. Mrs. GALVIS (Colombia) said that the loan system, enabled all Colombians to attend scholastic or university establishments in the private sector.

29. Regarding teachers' pay, the gross salary of teachers in the private sector was equivalent to that of teachers in the public sector, but the latter also enjoyed job security and received various allowances.

30. Mr. MESTRE SARMIENTO (Colombia) added that the benefits offered in the public sector obtained at all levels of education: primary, secondary and university.

31. Mrs. GALVIS (Colombia) said, with regard to the reform of the teacher-training colleges (E/1990/7/Add.4, para. 45), that it had become necessary to diversify the programmes of the teacher training centres by incorporating new specialized teaching techniques designed for backward children, deaf and dumb children and children with inconsistent behaviour. In that connection, she explained that in Colombia an unlawful act committed by a

minor was considered not to be an offence but inconsistent behaviour that required special attention. Exceptionally gifted children also needed special teaching, and there was a private specialized educational institute for them.

32. Concerning minorities, she said that black persons were fully integrated into Colombian society. Their situation was the same as that of Colombians and they were neither disadvantaged nor favoured. As for the indigenous communities, they were given protection and their situation was given priority treatment by the Colombian authorities.

33. Mr. MESTRE SARMIENTO (Colombia), referring to the question of participation by blacks, indigenous peoples and underprivileged population groups in the drug traffic, noted that the struggle against drugs and their consequences on the population remained one of the Colombian authorities' main concerns. Regarding indigenous peoples, he noted that coca was a component of the Andean communities' traditional lifestyle, that they had been cultivating it before the arrival of the Spanish and that they used it in their daily life. Coca only became a "problem" once it was turned into cocaine with the help of two products, acetone and ether, which were not manufactured in the Andean countries but imported from the industrialized countries. Colombia had proposed the imposition of an embargo on the sale of those products to the coca-producing countries, which would make it easier to combat the production of cocaine. Unfortunately, free trade penalized the less-developed countries, for the industrialized countries had done nothing to prevent the free circulation of the products required for processing coca into cocaine. Thus, the drug traffickers had invaded the vast territories of the Andean region, had set up their laboratories and landing strips. They exploited the poor to transport the merchandise by distributing passports and money. Some couriers succeeded, while others were arrested abroad and imprisoned, despite the fact that they had no connection to the real traffickers and often had acted as couriers on only one occasion. One of the Government's strategies was to raise public awareness through the media. The fight against drugs also began in school, where teachers attempted to foster an objective attitude in the new generation and involve it in the struggle against the scourge of drugs. He also stressed the fact that the level of drug consumption did not give rise to any great concern in Colombia itself: there were few addicts, and there were public and private bodies to help them.

34. Mrs. GALVIS (Colombia) provided further information on subsidies granted in the private sector: private institutions such as the Special Education Centre for the Deaf and Dumb, which made a contribution to the educational system, received State aid in amounts depending on the function of the institute, the services it provided and its capacity for self-management.

35. As for inequalities between regions and groups, she pointed out that the decentralization of the public services, which had begun in 1986, was intended in effect to revitalize the basic administrative units in the country by involving them more actively in the conduct of public affairs and thus helping the State to function more effectively. That process required regionalization, which was aimed especially at the municipalities: they now enjoyed complete administrative autonomy in providing health and basic education services and were also responsible for certain types of public works and housing services. They were free to distribute the resources allocated to them from the State

budget as they saw fit. Similarly, a neighbourhood advisory network had been set up in every densely populated city; members were elected by the residents of the neighbourhood and, through them, the population participated in decisions affecting the administration of the city.

36. Mr. MESTRE SARMIENTO (Colombia) added that the school authorities had experimented with direct management of public teaching establishments by parents' councils, responsible in particular for monitoring the quality of the teaching and the school premises, but also of ensuring that the school ran smoothly and that good relations between teachers and pupils prevailed. Such experiments had been increasing in number in recent years and were yielding very positive results. That type of participation by citizens in public affairs might well become widespread by the end of the decade.

37. Mrs. GALVIS (Colombia) said that participation by secondary school students in literacy and popularization campaigns was an unpaid service which final year secondary school students were required to give to the community and was part of their training; it was sanctioned by a certificate which had to be produced in order to obtain the secondary school diploma. Fifth-year students worked as health supervisors and taught the public the rudiments of nutrition and the prevention and treatment of certain infections, in particular rehydration. The programme, which was organized jointly by the Ministry of Education and the Ministry of Health, seemed to have proved itself, since the rate of infant mortality due to dehydration had decreased sharply. Sixth-year students took part in adult literacy campaigns: the Ministry of Education determined needs in consultation with the local authorities and the institutions provided their premises for courses - reading, writing and other basics - which the students taught after receiving teacher training. In reply to a question by one of the experts, she also confirmed that all Colombians had access to private education.

38. The Committee had asked for further information on the human rights seminars organized for members of the judiciary: the Government had noted that those officials had a poor knowledge of the international human rights instruments to which Colombia was a party. That was why the Judicial Academy had been endowed a few years earlier with a chair in human rights and international instruments, and why human rights seminars had been set up in various cities in the country in 1988 and 1990. Those measures appeared to have borne fruit, since the members of the judiciary, who were now aware of the obligations contracted by the State, granted more importance to requests for information submitted to them by the monitoring bodies. That explained the quality of the reports received by those bodies and the punctuality with which they were submitted.

39. As for the human rights teaching programme organized for the police forces, she said that it had been set up in the police training colleges in cooperation with the Office of the Presidential Adviser and the heads of the police forces. It comprised three aspects, one aimed at future police officers, the second at junior officers and the third at senior officers. It had been difficult to persuade those concerned to agree to the idea of tuition by civilians and to accept the concept of protection of citizens' fundamental rights. Thus, it had first been necessary to conceptualize the universal human rights principles, before describing their theoretical aspect and then

restating them in tangible form in the context of practical seminars. It had been noted that senior and junior police officers sometimes violated human rights out of ignorance, because they did not understand the meaning of the authority with which they were invested and exercised it with no civility whatsoever - whence the usefulness of such training. That type of training for members of the civil service should be continued at all levels and had been made an integral part of the programme of the Advanced School of Public Administration.

40. Research work into human rights directed by the Office of the Presidential Adviser had led to the establishment of a compendium of human rights case law, a history of the question in Colombia and a directory of institutions concerned with human rights. On the basis of that work, the Office of the Adviser had designed policies and strategies for action in the field, in particular human rights initiation campaigns. Research was at present geared more towards methodological issues.

41. Regarding the special indigenous court for the administration of justice, she said that the new Constitution established indigenous territories with administrative autonomy and empowered (art. 246) indigenous chiefs to exercise jurisdiction over their own people within those territories, in conformity with indigenous customs and provided they did not violate the Constitution and legislation of the Republic. Those provisions were aimed at eliminating the difficulties formerly experienced by indigenous people, who neither understood nor accepted so-called universal, or Western, justice. In the short term, the goal would be to further that constitutional principle through regulations, but the existence of the special court would in no way prevent indigenous people from seeking justice through the ordinary channels. Neither did it exclude them from the magistrature, to which they had access by fulfilling the same conditions as everyone, i.e. by being Colombian citizens and by completing the required studies, or exclude them from membership of administrative and political bodies.

42. Mr. MESTRE SARMIENTO (Colombia), replying to a question on immigrants, said that there were no social programmes specifically for the newly-arrived; those persons were not subjected to any discrimination on the basis of race, origin or religion, and their descendants could be found at all levels of political, economic, social and cultural life.

43. Mrs. GALVIS (Colombia), replying to a question on censorship, said that none of the media was subjected to any kind of censorship whatsoever: the press was free and responsible. The specific role of the National Television Board was to coordinate the programmes of the country's three television stations, which were owned by the State - one was reserved for broadcasting cultural programmes and the two other stations were run by private companies.

44. Regarding religion and the participation of the Congress of Churches in politics, she noted that denominations other than the Catholic Church had appeared in Colombia between 1850 and 1870 and had been harshly repressed at first by the Catholic Church. The State had finally granted them certain rights, while maintaining the supremacy of the Catholic religion. The most recent Constitution acknowledged the multiplicity of the denominations by proclaiming freedom of worship and religion (art. 19). The non-Catholic

denominations - the Catholic Church eschewed politics - had formed an independent congress which was represented in the Constituent Assembly. Today, their representatives participated in the country's political institutions, like any elected deputy.

45. Mr. MESTRE SARMIENTO (Colombia), replying to the expert who had asked whether Colombia received international aid to combat the drug traffic, explained that the country had received back-up equipment for police operations, in particular advanced communications systems and helicopters to help locate illegal crops. However, Colombia would also have liked aid to combat the consumption of drugs, which it felt was more effective than combating the production and traffic of those substances.

46. With regard to the attitude of young workers towards workers approaching retirement, he said that there was no tension between the two groups, for senior citizens represented only 10 per cent of the population. But the situation could be expected to change rapidly since life expectancy had increased spectacularly - and was now at 70 in comparison with only 55, 25 years earlier. Furthermore, the country's inflation rates, although among the lowest in Latin America, still made a hole in the old-age allocations in the budget and in retirees' income. The programmes devised for senior citizens attempted to resolve that twofold problem by offering them a "school for living" to help them cope with retirement in a young and dynamic country, as well as training to enable them to earn extra money to supplement pensions that had become insufficient.

47. After the enormous tragedies and difficulties it had experienced, Colombia was proud of its return to domestic peace, the social reconciliation process that had begun, the adoption of its new Constitution and the enhancement of governmental authority. The country looked to the future with optimism and was confident that it would continue its social progress while respecting human rights.

48. The CHAIRMAN invited the experts to comment on the replies by the representatives of Colombia.

49. Mr. ALVAREZ VITA said that he was fully satisfied with the replies to the questions he had raised. The representatives of Colombia had begun a genuine dialogue with the Committee and had kept it at a high level; he noted in particular that the Colombian representatives had acknowledged existing problems and deficiencies in the Constitution.

50. Mrs. IDER said that she would like some further information on private education: what was the relative share of public and private education among the three levels of education? How did private schools that were not subsidized by the State survive? Was it through private funds? Finally, what motivated teachers to teach in private education if conditions were less attractive than in public education?

51. Mr. Alston resumed the Chair.

52. Mrs. JIMENEZ BUTRAGUEÑO said she would like the additional information that was to be transmitted subsequently to contain statistics on the number of black and indigenous pupils and teachers at all educational levels and on the participation of those two groups in the bodies and mechanisms of the country's ordinary system of justice. She would also like to know whether the State asked the educational institutions it subsidized for anything in return - for example, did it require them to give scholarships to a certain percentage of their pupils? She would also like to know whether there was sex education in the Colombian schools at present or whether it was being planned.

53. Considering that the changes brought about by the new Constitution were so extensive that the Committee could not confine itself to the realization of the rights covered in articles 13 to 15 of the Covenant, she asked whether the new Constitution also recognized the rights of agnostics and provided for the possibility of civil marriage, whether persons receiving a retirement pension were entitled to work and whether the community took advantage of senior citizens' experience.

54. The CHAIRMAN invited the representatives of Colombia to reply immediately, if they so wished, to the last questions raised by the Committee.

55. Mrs. GALVIS replied first to the questions on the financing of private educational institutions. Those institutions belonged to persons who made a living from them, thanks in particular to the registration and tuition fees they charged. Private institutions of higher education were financed by foundations or companies formed for that purpose. There was a broad spectrum of private institutions, ranging from the expensive to the affordable. When the State granted those institutions aid, the aid was not allocated directly from the national education budget, but went through various institutions and associations. Roughly speaking, private education depended on the law of supply and demand. She intended to send the Committee a written reply on State aid, its modalities and beneficiaries. One expert had asked whether aid to private education required any counterpart measures; there was one: institutions receiving aid must either grant scholarships to needy pupils or open an adult literacy department.

56. The experts had also asked why the private sector played such an important role in the educational system: the reason was that the school-age population in Colombia was high and the State did not have the means to provide free education for the entire population. However, the private sector was less important than it appeared, for although the number of private institutions was high, the institutions themselves were small and their classes were small. In actual fact, most young Colombians were educated through the public education system. The State worked out the school programmes which all institutions, public and private, were required to follow, guaranteed the quality of the teaching and issued diplomas at the end of the courses of study.

57. Replying to a question about the level of teachers, she said that there was no difference between teachers in the public sector and those in the private sector. Teachers in the private sector, however, were in a more precarious situation since they did not have job security and had to pay certain contributions, such as pension fund contributions, themselves.

58. Regarding the proportion of black people holding posts in the public education system, the statistics requested would be sent in writing, but she could already state that any black Colombian with the required qualifications could enter the public service. However, the teaching profession was not the most attractive to that category of Colombians, who were drawn rather to the legal profession.

59. For their part, the indigenous peoples had only recently entered public service, although they had for some time had municipal councillors, mayors, male and female, and lawyers among their number. It was also true that very few indigenous peoples held diplomas as yet, but the Government was making every effort to aid those peoples to make up for lost time, especially through promotion of their language and culture, and through affirmative action.

60. Replying to a question on freedom of worship, she explained that it was enshrined in the Constitution and that it was also possible not to practise any religion. Obviously Colombian society had difficulty accepting agnosticism, atheism and anti-clericalism, but such an attitude could be attributed to a long-standing Catholic tradition and the ascendancy of the Catholic Church which continued to be strong.

61. Regarding freedom to have a civil marriage, the obstacles against it had been removed, since the validity of civil marriage had been established in 1974. In addition, in 1976 divorce for spouses married in a civil ceremony had become legal. Civil marriage and divorce, which had long been disapproved by Colombian society, had become commonplace.

62. Sex education was included in school curricula from the primary level onwards. However, its extent varied according to the extent to which institutions and teachers were liberated from sexual taboos, which were still deeply engrained in Colombian society.

63. Regarding the fight against AIDS, information was disseminated by the media, but with extreme timidity, since in Colombia as throughout the world, the Catholic Church had a negative influence to the extent that it was opposed to family planning and the use of condoms. There were as yet very few cases of AIDS in Colombia, but the future was none the less disturbing.

64. One expert had asked whether a retired person in Colombia could have a paid job, and the answer was yes. The training of senior citizens, moreover, was one of the reasons for senior citizens' programmes. As to the benefits which the country could draw from their experience, there were no special structures for achieving that end. The disappearance of the artisan class had put paid to the systematic transmission of the knowledge and experience of the elders. Nowadays, that process only occurred within the family, where the traditional hierarchy persisted and where it was still acknowledged that an older person had knowledge which the young lacked. Unfortunately, a breakdown in traditional family structures was beginning to take place.

65. The CHAIRMAN, supported by Mr. WIMER ZAMBRANO, urged the members of the Committee to respect the proper procedure: the questions should focus exclusively on the implementation of the articles of the Covenant under review and should be aimed solely at obtaining clarifications on information already provided by the State party.

66. Mr. SIMMA said that if the members of the Committee occasionally failed to observe procedures strictly, that was because their work had both a theoretical and practical aspect. As for the Colombian delegation, its work was fully consistent with what the Committee expected from Governments.

67. Mrs. JIMENEZ BUTRAGUEÑO attributed the digressions of certain experts to their interest in the questions dealt with and the States whose reports they were examining.

The meeting rose at 1.05 p.m.